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Promotion and protection of human rights

Letter dated 20 September 2008 from the Permanent Representatives of Benin, Bosnia and Herzegovina, Costa Rica, Nicaragua, Norway and Qatar to the United Nations addressed to the President of the General Assembly

On behalf of our countries, we would like first to congratulate you on your election as the President of the sixty-third session of the General Assembly, resting assured that your expertise will enable you to accomplish your mission as the sixty-third President of the General Assembly to the fullest extent. At this, we would like to share with you our interest to convene a thematic debate during the sixty-third session of the General Assembly on an issue of great importance in the early response to emergencies and the reconstruction process: access to education in emergency, post-crisis and transition situations caused by man-made conflicts or natural disasters.

The right to education was established in the Universal Declaration of Human Rights in 1948. The Convention on the Rights of the Child further obliges States parties to ensure, without discrimination of any kind, access to education for all children living in their territories at all times. Article 28 of the Convention defines the right to free and compulsory primary education, urges States to develop accessible secondary and other levels of education, and encourages international cooperation in educational matters.

The right to education is acknowledged in a number of other frameworks that all Member States have an obligation to fulfil. The Dakar Framework for Action, Education for All: Meeting our Collective Commitments (2000) paid great attention to the educational consequences of emergencies, placing special emphasis on children affected by conflict and natural disasters and on educational programmes that promote mutual understanding, peace and tolerance and that help to prevent violence and conflict. The reality in several regions, in particular within areas affected by conflict and natural disasters, indicates that we are far behind in our quest to achieve the second Millennium Development Goal, which calls upon Member States to achieve universal primary education by 2015. Some 72 million children remain out of school and over half of these children (37 million) live in

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conflict-affected fragile states,[1] and preliminary findings of the strategic review of the Graca Machel study (A/62/228) show that two thirds of the world's out-of-school children at the primary level are in conflict-affected countries. More than half of each of these groups are girls, and countless other children are in areas affected by natural disasters.

During early response to emergencies and the reconstruction process, education, a basic human right, is frequently found to be interrupted, delayed or even denied, as highlighted in a recent report by the Special Rapporteur on the right to education, presented to the Human Rights Council at its eighth session on 4 June 2008 (A/HRC/8/10). On the subject matter, the Special Rapporteur found that "there is a disjunction between social, cultural and economic structures and the educational activities carried out in times of conflict or natural disaster". The Special Rapporteur further found that "there is an urgent need to close this gap because, although the impact of every emergency is different, there is one prevailing characteristic common to all: the interruption, degradation or destruction of education and education systems".

The importance of education is indicated through the great number of United Nations entities, such as the General Assembly, the Security Council, the Peacebuilding Commission, the Economic and Social Council, the Human Rights Council and the agencies of the United Nations system, such as the United Nations Children's Fund, the United Nations Educational, Scientific, and Cultural Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the World Food Programme, along with civil society and non-governmental organizations that play a supportive role in the fulfilment of this right.

However, partially because of its wide application, there is a certain lack of cohesiveness and overview. The United Nations needs to refocus and renew its attention and revive its support for this enabling and crucial right. A thematic debate at the General Assembly on possibly the largest gap in fulfilling this right — access to education in emergency, post-crisis and transition situations caused by man-made conflicts or natural disasters — would be a timely and urgently needed step. It would allow for a better overview of current work and dialogues, such as on reaching children out of school in these situations. By safeguarding the right to education in emergencies, Governments and the international community send out a forceful message about the future. .

We, the undersigned, request this debate and believe the dialogue will better enable the international community to increase access to education, improve the quality of education and promote education as an effective part of every humanitarian and emergency response by renewing school infrastructure, improving a safe and secure learning environment, ensuring a relevant, non-biased curriculum that promotes peace, tolerance and understanding, enhancing capacities of local personnel and institutions, improving accountability in school management, increasing cooperation and effectiveness and other important measures.

[1] International Save the Children Alliance, *Last in Line, Last in School 2008: How donors can support education for children affected by conflict and emergencies*.

We hope that you will give this proposal serious consideration, and notify us at your earliest convenience. We assure you of our deep commitment to support your efforts in an area that has the potential to change our world in a profoundly positive way.

It would be appreciated if the present letter could be circulated as a document of the General Assembly under agenda item 64.

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(*Signed*) Miloš **Prica**
Permanent Representative of Bosnia and Herzegovina to the United Nations

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